

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

NORDIC INTERACTIVE TECHNOLOGIES
LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

Civil Action No. 6:20-CV-00064 (ADA)

JURY TRIAL DEMANDED

JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to the Court's Scheduling Order (Dkt. No. 29), Plaintiff Nordic Interactive Technologies LLC ("Nordic") and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively "Samsung") submit this Joint Claim Construction Statement for the asserted claims of United States Patent No. 7,590,097 ("the '097 Patent") and United States Patent No. 6,345,095 ("the '095 Patent"). Nordic currently asserts claims 19-24 of the '097 Patent and claims 16 and 30 of the '095 Patent. Concurrent with this submission, the Parties are jointly submitting PDF versions of all as-filed briefing and exhibits to the law clerk.

Pursuant to this Court's Order Resetting *Markman* Hearing (Dkt. No. 39), the *Markman* hearing by Zoom will occur on Tuesday, December 29, 2020 at 2:30 PM.

I. PARTY AGREEMENTS

A. Points of Substantive Agreement

The parties agreed to the definitions of a person of ordinary skill in the art ("POSITA") for each of the Patents-in-Suit.

For the '095 Patent, a POSITA would have a B.S. in Computer Science or Electrical Engineering and two years of post-graduate work experience in telecommunications.

For the '097 Patent, a POSITA would have a B.S. in Computer Science or Electrical Engineering and two years of post-graduate work experience in mobile ad hoc networking.

B. Agreed Constructions

1. '095 Patent

The parties did not come to an agreement on claim terms in the '095 Patent.

2. '097 Patent

The parties agreed to the following constructions:

Term	Agreed Construction
“an indication that it [the nearby device] may include a middleware software” (claims 19-24)	plain and ordinary meaning
“application and service discovery” (claims 19-24)	“discovery of available services and/or applications”
“disconnect communication establishment” (claims 19-24)	“stop the establishment of the communication session”

II. LIST OF DISPUTED TERMS FOR CONSTRUCTION

A. '097 Patent Term

Term	Nordic's Proposed Construction	Samsung's Proposed Construction
“middleware software” (Claims 19-24)	“software providing discovery of applications and/or services”	“a software layer with an API that negotiates the communication between two applications to help an application find a counterpart application with the correct role”
“[the] middleware layer” [*] (claims 20-21)	“software layer that includes middleware software”	“[the] middleware software”

^{*}The parties agree that the Court could correct the term to “[the] middleware software” under the doctrine of judicial correction.

B. '095 Patent Term

Term	Nordic's Construction	Samsung's Construction
“call initiation signals” (Claims 16, 30)	plain and ordinary meaning or “at least part of a telephone number”	“any signal indicating that a calling party is going to place a telephone call”

Dated: December 18, 2020

By: /s/ Robert Christopher Bunt
Robert Christopher Bunt
State Bar No. 00787165
Charles Ainsworth
State Bar No. 00783521
PARKER, BUNT & AINSWORTH, P.C.
100 E. Ferguson, Suite 418
Tyler, TX 75702
3903/531-3535
Email: charley@pbatyler.com
Email: rcbunt@pbatyler.com

William Cory Spence
Jason Wejnert
SpencePC
515 N. State St., 14th Floor
Chicago, Illinois 60654
312-404-8882
william.spence@spencepc.com
jason.wejnert@spencepc.com

*Attorneys for Plaintiff Nordic Interactive
Technologies LLC*

Respectfully submitted,

By: /s/ Jin-Suk Park (with permission)
Jin-Suk Park
Marc A. Cohn (pro hac vice)
ARNOLD & PORTER KAYE SCHOLER LLP
601 Massachusetts Ave., NW
Washington, DC 20001-3743
Tel: 202-942-5000
Jin.Park@arnoldporter.com
Marc.Cohn@arnoldporter.com

Ryan J. Casamiquela (pro hac vice)
ARNOLD & PORTER KAYE SCHOLER LLP
Three Embarcadero Center, 10th Floor
San Francisco, CA 94111-4024
Tel: 415-471-3373
Ryan.Casamiquela@arnoldporter.com

Michael E. Jones
State Bar No. 10929400
POTTER MINTON, P.C.
110 N. College Ave., Suite 500
Tyler, TX 75702
Tel: 903-597-8311
mikejones@potterminton.com

*Attorneys for Defendants Samsung Electronics
Co., Ltd. and Samsung Electronics America,
Inc.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 18, 2020, I electronically filed this document with the Clerk of Court via the Court's CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Robert Christopher Bunt
Robert Christopher Bunt